

### **Remarks**

Claims 22–24, 26–32, and 34–46 are pending in this application. All of the pending claims were rejected on prior art grounds. Claims 22, 23, 30, 31, 40, 41, and 43 are being amended in this response.

### **Withdrawn Rejections**

The Applicants acknowledge that the 35 U.S.C. §103 rejections of claims 22, 23, 24, 26–32, 34–42, 45, and 46 over Ernest in view of Ernst have been withdrawn. The Applicants also acknowledge that the 35 U.S.C. §103 rejections of claims 43 and 44 over Rummler et al. in view of Ernst have been withdrawn.

### **Claim Rejections — 35 U.S.C. §103**

Claims 22, 23, 24, 26–32, 34–42, 45, and 46 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rummler et al. (U.S. Patent No. 5,853,579) in view of Ernst (U.S. Patent No. 3,290,876). The rejection is respectfully traversed for the reasons discussed below.

Claim 22 is being amended to recite, *inter alia*, “...a portion of the wall flow filter circumferentially surrounds a portion of the catalyzed foam filter...wherein the wall flow filter circumferentially surrounds at least a portion of the side edge to trap particulate matter between the wall flow filter and the catalyzed foam filter, wherein a first space is located between the side edge and the rear face of the catalyzed foam filter and an inner surface of the wall flow filter, wherein a second space is located between an outer surface of the wall flow filter and an inner surface of an exhaust conduit which circumferentially surrounds the wall flow filter, wherein exhaust flows in a radial direction through the catalyzed foam filter, through the first space, through the wall flow filter, and then to the second space, and wherein exhaust flows in an axial direction through the catalyzed foam filter, through the first space, and then through the wall flow filter.” No new matter is being added with this amendment. The subject matter of this recitation is not taught or suggested in Rummler et al., and is not taught or suggested in Ernst. In FIG. 24A, Rummler et al. shows conical filter elements 552, 554 that are linearly arranged. And Ernst does not teach or suggest, among other things, the circumferential surrounding and first and second space subject matter recited.

Accordingly, the Applicants respectfully submit that claim 22 is patentable over Rummler et al. and Ernst, and should be allowed. Claims 23, 24, 26–29, 35–37, and 45 depend from claim 22, and should be allowed at least for the reasons that claim 22 is allowed. Also, claim 23 is being amended to correspond with the amendment to claim 22.

Claim 30 is being amended to recite, *inter alia*, “...wherein at least a portion of each wall flow filter circumferentially surrounds a portion of a catalyzed foam filter...wherein one of the wall flow filters circumferentially surrounds at least a portion of the side edge to trap particulate matter between the wall flow filter and the catalyzed foam filter, wherein a first space is located between the side edge of the catalyzed foam filter and an inner surface of the wall flow filter, wherein a second space is located between an outer surface of the wall flow filter and an inner surface of an exhaust conduit which circumferentially surrounds the wall flow filter, and wherein exhaust flows in a radial direction through the catalyzed foam filter, through the first space, through the wall flow filter, and then to the second space.” No new matter is being added with this amendment. The subject matter of this recitation is not taught or suggested in Rummler et al., and is not taught or suggested in Ernst. In FIG. 24A, Rummler et al. shows conical filter elements 552, 554 that are linearly arranged. And Ernst does not teach or suggest, among other things, the circumferential surrounding and first and second space subject matter recited.

Accordingly, the Applicants respectfully submit that claim 30 is patentable over Rummler et al. and Ernst, and should be allowed. Claims 31, 32, 34, 38, 39, and 46 depend from claim 30, and should be allowed at least for the reasons that claim 30 is allowed. Also, claim 31 is being amended to correspond with the amendment to claim 30.

Claim 40 is being amended to recite, *inter alia*, “...wherein the wall flow filter circumferentially surrounds at least a portion of the side edge, and so that a first space is provided between the wall flow filter and the side edge sufficient to trap particulate matter in the first space...and wherein a second space is located between an outer surface of the wall flow filter and an inner surface of an exhaust conduit which circumferentially surrounds the wall flow filter, wherein exhaust flows in a radial direction through the catalyzed foam filter, through the first space, through the wall flow filter, and then to the second space.” No new matter is being added with this amendment. The subject matter of this recitation is not taught or suggested in Rummler et al., and is not taught or suggested in Ernst. In FIG. 24A, Rummler et al. shows

conical filter elements 552, 554 that are linearly arranged. And Ernst does not teach or suggest, among other things, the circumferential surrounding and first and second space subject matter recited.

Accordingly, the Applicants respectfully submit that claim 40 is patentable over Rummler et al. and Ernst, and should be allowed. Claims 41 and 42 depend from claim 40, and should be allowed at least for the reasons that claim 40 is allowed. Also, claim 41 is being amended to correspond with the amendment to claim 40.

Claims 43 and 44 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rummler et al. in view of Ernst and either one of Miller et al. (U.S. Patent No. 3,319,793) or Nagaoka (U.S. Patent No. 6,488,842). The rejection is respectfully traversed for the reasons discussed below.

Claim 43 is being amended to recite, *inter alia*, "...wherein one of the wall flow filters circumferentially surrounds at least a portion of the side edge, and so that a first space is provided between the one of the wall flow filters and the side edge sufficient to trap particulate matter therein...wherein a second space is located between an outer surface of the wall flow filter and the inner surface of the housing, and wherein exhaust gas flows in a radial direction through the catalyzed foam filter, through the first space, through the wall flow filter, and then to the second space." No new matter is being added with this amendment. The subject matter of this recitation is not taught or suggested in Rummler et al., is not taught or suggested in Ernst, is not taught or suggested in Miller et al., and is not taught or suggested in Nagaoka. In FIG. 24A, Rummler et al. shows conical filter elements 552, 554 that are linearly arranged. And Ernst, Miller et al., and Nagaoka do not teach or suggest, among other things, the circumferential surrounding and first and second space subject matter recited.

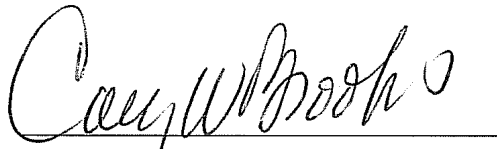
Accordingly, the Applicants respectfully submit that claim 43 is patentable over Rummler et al., Ernst, Miller et al., and Nagaoka, and should be allowed. Claim 44 depends from claim 43, and should be allowed at least for the reasons that claim 43 is allowed.

**Conclusion**

The Applicants' counsel authorizes the Commissioner to charge Applicants' deposit account No. 07-0960 for any required fees or deficiencies associated with the filing of this response, or to credit the same deposit account with any overpayments.

The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 689-3500 if any unresolved matters remain in connection with this response.

Respectfully submitted,  
REISING, ETHINGTON, P.C.

A handwritten signature in black ink, reading "Cary W. Brooks", is written over a horizontal line.

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